

**REMARKS**

This Amendment is being timely filed.

Applicants submit that the amendments herein are fully supported in the present specification as filed and add no new matter. Further, it is respectfully requested that the present Reply be entered into the Official File in view of the fact that the Reply automatically places the application in condition for allowance (the only rejected claim has been canceled).

In the alternative, if the Examiner continues with the rejections of the present application, it is respectfully requested that the present Amendment be entered for purposes of an Appeal. The Amendment reduces the issues on appeal by reducing the number of claims (e.g., claim 7 has been canceled) and/or overcoming the rejection under 35 U.S.C. § 112, first paragraph. Thus, the issues on appeal would be reduced.

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and the following comments.

***Status of the Claims***

In the present Amendment, claims 28, 38 and 42 have been amended. Claims 2-6, 9-12 and 21-26 were previously canceled, and claim 7 is presently canceled, without prejudice or disclaimer of the subject matter therein. Also, claims 1, 8, 13-20, 27, 29-34, 37, 39-41, 43 and 44 are indicated to be allowable. Further, claims 28 and 42 are objected to, but have indicated allowable subject matter (see page 3 of the Office Action). Thus, claims 1, 7, 8, 13-20, 27-34, 37 and 39-44 are pending in the present application.

No new matter has been added by way of these amendments because each amendment is supported by the present specification. As stated, claims 28 and 42 are objected to, and are now properly rewritten. Specifically, claim 28 is now in independent form by incorporating the subject matter of base claim 7. Claim 42 has been amended to properly depend on method claim 28 (instead of composition claim 28). Finally, the amendment to claim 38 is to change the dependency thereof (instead of depending on canceled claim 7).

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw the only rejection and allow the currently pending claims.

***Issues Under 35 U.S.C. § 112, First Paragraph***

Claim 7 stands rejected under 35 U.S.C. § 112, first paragraph as stated on page 2 of the Office Action. Claim 7 has been canceled, rendering the rejection of this claim moot. Thus, withdrawal of this rejection is respectfully requested.

***Claim Objection***

Claim 28 and 42 stand objected to as stated on page 3 of the Office Action. Applicants have amended claim 28 into independent form, and claim 42 depends on claim 28. Thus, it is believed that this objection has been obviated. Reconsideration and withdrawal of this objection are respectfully requested.

***Paragraphs I-II of Office Action***

Applicants respectfully submit that the rejections stated in paragraphs I and II on page 2 of the Office Action are in error. This is because the disputed claims have been allowed as stated on page 3 of the Office Action. If this is not the case, Applicants respectfully request clarification or that the Examiner contact Applicants' representative at the contact information given below.

***Conclusion***

Applicants have taken substantial steps in advancing prosecution of this case, and a full and complete response has been made to all issues as cited in the Office Action. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 09/744,678

Docket No.: 0425-0821P

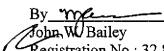
Art Unit 1616

Reply to Office Action of January 22, 2007

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: APR 17 2007

Respectfully submitted,

By  (04,204,061)

John W. Bailey

Registration No.: 32,881

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant